

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

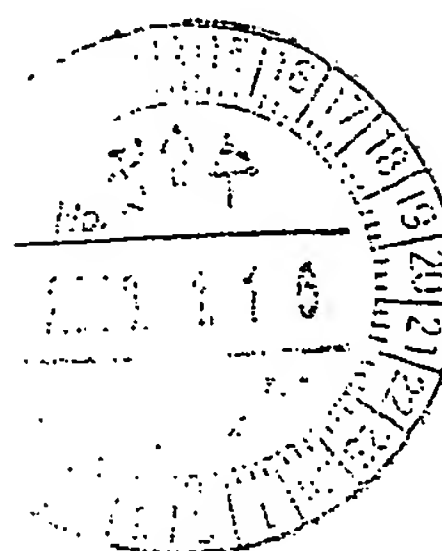
LEE, Won-Hee

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dong Kangnam-ku Seoul 135-080 Republic of Korea

PCT

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

(PCT Rule 66)



Date of mailing
(day/month/year) 13 JANUARY 2006 (13.01.2006)

Applicant's or agent's file reference
4FPO-12-13

REPLY DUE within 2 months from
the above date of mailing

International application No.

PCT/KR2005/000282

International filing date (day/month/year)

31 JANUARY 2005 (31.01.2005)

Priority date (day/month/year)

02 FEBRUARY 2004 (02.02.2004)

International Patent Classification (IPC) or both national classification and IPC

C12N 15/29(2006.01)i, A01H 4/00(2006.01)i, A01H 1/06(2006.01)i

Applicant

DONGBU HANNONG CHEMICAL CO., LTD. et al

1. ☒ The written opinion established by the International Searching Authority :☒ is☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This _____ (first, etc.) opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When ? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How ? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability

(Chapter II of the PCT) must be established according to Rule 69.2 is: 23 MAY 2006 (23.05.2006)

Name and mailing address of the IPEA/KR



Korean Intellectual Property Office
920 Dunsan-dong, Seo-gu, Daejeon 302-701,
Republic of Korea

Facsimile No. 82-42-472-7140

Authorized officer

KIN, Ji Yun

Telephone No. 82-42-481-8288



Handwritten signature/initials.

10/588095

IAP5 Rec'd PCT/PTO 28 JUL 2006

WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY EXAMING AUTHORITY

International application No.

PCT/KR2005/000282

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which was filed, unless otherwise indicated under this item.
- ☒ This opinion is based on a translation from the original language into the following language English, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
- ☒ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this opinion has been established on the basis of (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."):
- ☒ the international application as originally filed
- ☐ the description:
 pages _____, as originally filed/furnished
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
- ☐ the claims:
 pages _____, as originally filed/furnished
 pages _____, as amended (together with any statement) under Article 19
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
- ☐ the drawings:
 pages _____, as originally filed/furnished
 pages _____ received by this Authority on _____
 pages _____ received by this Authority on _____
- ☐ the sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheet/fig _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____
4. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
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INTERNATIONAL PRELIMINARY EXAMING AUTHORITY

International application No.

PCT/KR2005/000282

Box No. II Priority

1. ☐ This opinion has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:

☐ copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
☐ translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The subject matter of claim 13 is a newly added, not disclosed in the priority document. Therefore, the cited document D4 WANG H. et al., Plant Cell., Vol. 16(5), pp. 1206-1219 (MAY 2004) has been considered to belong to the prior art documents.

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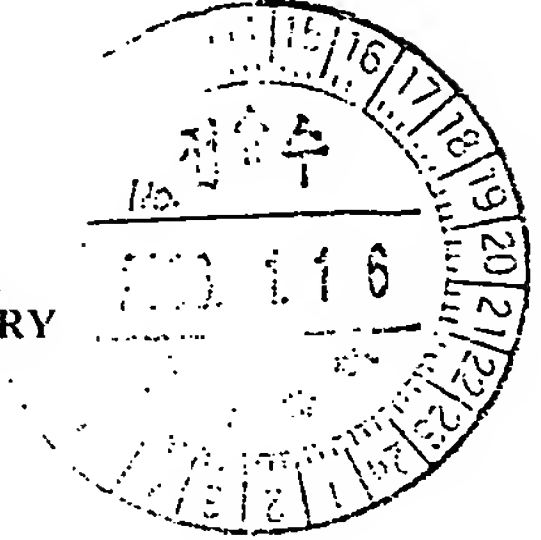
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Facsimile No. 82-42-472-7140

Authorized officer

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